

ALABAMA BOARD OF NURSING

ANNUAL BOARD MEETING

Fiscal Year 2014-2015

Suite 350, RSA Plaza

770 Washington Ave

Montgomery, Alabama

November 13-14, 2014

I. CALL TO ORDER

A. Roll Call

The meeting was called to order at 9:00 a.m. on November 13, 2014. The following Board members were present: Catherine Dearman, RN, PhD, President; Francine Parker, EdD, MSN, RN, Vice-President; E. Laura Wright, PhD, MNA, CRNA, Secretary; Pamela Autrey, PhD., MSN, RN; Cheryl Bailey, RN, BSN, MBA; Miriam Ellerbe, LPN; Gladys Davis Hill, MSN, RN; Gregory Howard, LPN; Chrystabell King, LPN; Amy Price, MSN, RN; and Carol Stewart, CRNP, MSN. Leslie Vinson, Executive Secretary/Recorder was present. Staff members attending portions of the meeting were: Peggy Benson, MSN, RN, Deputy Director; Christie Davis, Chief Fiscal Officer; Mary Ed Davis, MSN, RN, Voluntary Disciplinary Alternative Program; Honor Ingels, Governmental Relations Manager; Joyce Jeter, MSN, RN, Practice/Continuing Education Nurse Consultant; Cathy Russell, MSN, RN, PhD, Nursing Education Consultant; Karen Grimes, Docket Clerk; Brad Jones, IT Systems Specialist; Dawn Daniel, MSN, RN, Probation Nurse Consultant; Cathy Boden, MSN, RN, Legal Nurse Consultant; LaDonna Patton, MSN, RN, Legal Nurse Consultant; Patrick Samuelson, Assistant General Counsel; and Alice Maples Henley, General Counsel.

B. Declaration of Quorum

A quorum was declared with eleven Board members present on November 13, 2014, and ten members present on November 14, 2014. Melissa Bullard, LPN, was not present on November 13. Pamela Autrey, PhD., MSN, RN, was not present on November 14. Gladys Davis Hill, MSN, RN, arrived at 8:38 on November 14. Vicki P. Karolewics, Ed.D., resigned from her Board position effective November 12, 2014.

C. Statement of Compliance with Open Meetings Act

Prior notice of this meeting was given in accordance with the Alabama Open Meetings Act.

D. Review of Agenda

1. Additions, Modifications, Reordering

VI.A.1. Executive Officer Report was removed from the Consent Agenda and placed on the Agenda for discussion

VI.B.1. Conversation with Executive Officer was deleted from the agenda.

VII.A. FY 2014-2018 Strategic Plan was deleted from the agenda.

2. Adoption of Consent Agenda

The following items were accepted on the Consent Agenda:

II.A. September 18-19, 2014 Board Meeting Minutes

II.B. October 16, 2014 Board Meeting Minutes

III.A. FY 2014 Board Action Follow-up

III.B. FY 2015 Board Action Follow-up

V.A. FY 2014 4th Quarter NCLEX-PN Results

V.B. FY 2014 4th Quarter NCLEX-RN Results

VI.A.2. FYI

VI.D.1. General Counsel/Deputy Attorney General

VI.D.3. Voluntary Disciplinary Alternative Program

VI.D.4. Investigations Report

VI.D.5. Legal Nurse Consultant Report

VI.D.6. Probation Monitoring Report

VI.D.7. Public Records Request

VI.E. Operations/Personnel Report

VI.F. Licensing Division

IX.A.1. Practice Report

IX.B.1. Continuing Education Report

X.A. Education Report

On November 13, Dr. Wright moved that the Board adopt the Consent Agenda, as amended. Ms. Hill seconded. Motion carried without objection.

3. Adoption of Agenda

On November 13, Dr. Parker moved that the Board adopt the Agenda, as amended. Dr. Autrey seconded. Motion carried without objection.

II. REVIEW OF MINUTES

A. September 18-19, 2014 Board Meeting Minutes

The September 18-19, 2014 Board Meeting Minutes were accepted on the Consent Agenda.

B. October 16, 2014 Board Meeting Minutes

The October 16, 2014 Board Meeting Minutes were accepted on the Consent Agenda.

III. OLD BUSINESS/FOLLOW-UP

A. FY 2014 Board Action Follow-up

Ms. Lee's report of FY 2014 Board action follow up was accepted, as information, on the Consent Agenda.

B. FY 2015 Board Action Follow-up

Ms. Lee's report of FY 2015 Board action follow up was accepted, as information, on the Consent Agenda.

IV. NATIONAL COUNCIL OF STATE BOARDS OF NURSING, INC.

A. Board Member NCLEX® Review Report

Dr. Parker reported on her attendance at the Board Member NCLEX® Review.

V. NATIONAL COUNCIL LICENSURE EXAMINATIONS

A. FY 2014 4th Quarter NCLEX-PN® Results

The FY 2014 4th quarter NCLEX-PN® results were accepted, as information, on the Consent Agenda.

B. FY 2014 4th Quarter NCLEX-RN® Results

The FY 2014 4th quarter NCLEX-RN® results were accepted, as information, on the Consent Agenda.

VI. REPORTS

A. Executive Officer

1. Report

A written report outlining the activities of the Executive Officer was provided.

Ms. Benson reported that Dr. Karolewics resigned from her Board member position effective November 12, 2014. The Governor's office called and they will be replacing Dr. Karolewics and make next year's appointment around the first week of December.

One thousand and thirty six people registered for the Ebola satellite conference. Seven hundred and ninety-four were from Alabama, and there were four thousand one hundred and twenty-two participants from thirty-four states.

Ms. Benson reported that Channel 13 News out of Birmingham asked if they could interview a nurse that was under a substance use disorder Board Order. Ms. Lee checked with three nurses and all three declined.

Pursuant to Alabama Board of Nursing Administrative Code, Rule 610-X-8-.05, Ms. Lee accepted the voluntary surrender for revocation for each of the following Alabama nursing licenses:

<u>Licensee's Name</u>	<u>License Number</u>	<u>Date of Acceptance</u>
Sullivan, Vicki Diane	1-030081	09/04/2014
Henley, Wendy Nicole	2-047814	09/05/2014
Walker, Mary Jonamanda	1-140132	09/10/2014
Copeland, Ginger Leigh	1-128616	09/11/2014
Autrey, Angela Jean	1-124141	09/11/2014
Pellowski, Linda L.	2-016756	09/17/2014
Skieff, Delores Denise	1-107708	09/18/2014
Mills, Amy Hilburn	1-079830	09/18/2014
Rainwater, Carolyn Sue	2-054017	09/22/2014
Martin, Janice Anderson	1-060988; 2-030483	09/24/2014

Stallings, Brandi Elizabeth	1-133029	09/25/2014
McCall, Jr., James Austin	1-081556	09/25/2014
Pingry, Sandra Juanita	1-129605	09/26/2014
Lee-Hotard, Michelle Dawn	1-115758; 2-052351	09/30/2014
Dearmond, Pamela Annette	1-069525	10/01/2014
Hill, Marynell	2-047967	10/03/2014
Stults, Tonia Jo	1-101249	10/06/2014
Mahoney, Joni Maria	1-041395	10/08/2014
Hulsey, Michelle Leigh	1-137573	10/10/2014
Baggett, Jessica Ann	1-092180	10/15/2014
Beck, Crystal Michelle	1-119018	10/16/2014
Thornton, Margaret C.	1-022263	10/20/2014
Sizemore, Jr., Emmett Allan	2-056556	10/20/2014
Dennis, George Gordon	1-089328	10/21/2014
Lancaster, Melinda Jo	1-048326	10/22/2014
Johnson, Kimberly Faye	1-051163	10/27/2014
Sandy, Andrea Elma	1-106699	10/27/2014
McElyea, Melany Darnell	1-076401	10/27/2014

2. FYI

There were no FYI items.

3. Calendar Year 2013 Board Meetings

Ms. Benson reported that the Board meetings are typically scheduled at the Annual Meeting in November of each year for the following calendar year. In addition to having ample advance notice of meetings, there is sufficient time to post the meetings on the Secretary of State's website. The third Thursday and Friday are set aside for two-day Board meetings and the third Thursday for the one-day meetings. National Council of State Boards of Nursing, Inc. (NCSBN) have meetings that might interfere with Board meetings so the calendar of events is noted when there is a meeting close to the time of a Board meeting. The Alabama State Nurses Association Annual Meeting is October 1-3, 2015 and Brian Buchmann, President of ASNA and the EO discussed having a Board meeting and celebration of the Board's 100th Anniversary. If the Board prefers to have a celebration but not a

Board meeting, then October 15 would be the regular Board meeting in Montgomery.

Ms. Lee provided the following proposed meeting dates for the Board's review and approval: January 22-23, 2015; February 19, 2015; March 12-13, 2015; April 16, 2015; May 21-22, 2015; June 18, 2015; July 16-17, 2015; August 13, 2015; September 17-18, 2015; October 15, 2015; November 12-13, 2015; and December 10, 2015

The Board reviewed the proposed dates.

On November 14, Ms. Price moved that the Board approve the Board meeting dates for calendar year 2015. Mr. Howard seconded. Motion carried with one abstention (Dr. Autrey).

4. Mobile Application Development

Ms. Benson reported that the Board entered into an agreement with the University of Alabama to develop a customized licensing system (LMS). The total amount paid on the agreement up to October 30, 2014 is \$2,354,801.15

The Board has a customized database for use in all aspects of licensing. A legal case management system was built into the database just to be sure we captured all elements. Paper applications have almost been completely eliminated.

The Mobile Applications would allow us to set up online renewal with a telephone, tablet, iPad, and all other mobile devices. Each year we have individuals who attempt to renew using a telephone app. We also are interested in development of an online process for reinstatement of advanced practice. For subscribers to the group online license verification system, license look up would also be placed on mobile devices. Thus, an employer would see the change even if it occurred at midnight on January 1. While the device is determined by the employer, the opportunity for human resources and nursing personnel to receive the information on a mobile device should assist the employer in looking up individuals to verify license renewal.

Another area that would be included in the agreement is a method for reporting attendance at continuing education classes to the Board. Currently we use the 'Tricorder' method where the nurse swipes his or her license card at a continuing education meeting and the provider then submits attendance at the class so it can be maintained in LMS. The current process has been used for eight years and it has worked overall. Within eight years, there have been changes in technology

that may allow the Board to obtain the continuing education information through an easier process.

The Board reviewed and discussed the mobile application development.

On November 13, Dr. Wright moved that the Board approve expenditure of \$350,000.00 for the development, implementation, analysis and evaluation of mobile applications that interface with LMS. Ms. King seconded. Motion carried with four oppositions (Ms. Price, Dr. Autrey, Dr. Wright and Ms. Bailey).

B. Executive Committee

1. Conversation with the Executive Officer

This item was deleted from the agenda.

C. Finance

1. Report

Ms. Davis, Chief Fiscal Officer, provided a report of Revenues Expenditures Summary, Revenues, Expenditure Budget Comparison, a Dishonored Check report as of September 30, 2014 and a comparison chart for year-end 2012, 2013 and 2014.

The Board reviewed and discussed the reports presented with Ms. Davis.

D. Legal Division

1. General Counsel/Deputy Attorney General

A written report of the activities of the Legal Division from August 30, 2014 through October 23, 2014, the number of open disciplinary cases, and the number of cases on appeal or subject to litigation was accepted, as information, on the Consent Agenda.

2. Assistant General Counsel Report

A written report on the number of pending cases on the docket of the Assistant General Counsel as of October 24, 2014 was accepted, as information, on the Consent Agenda.

3. Voluntary Disciplinary Alternative Program

A written report on VDAP participants and terminations as of October 24, 2014 was accepted, as information, on the Consent Agenda.

4. Investigations Report

A written report of active investigations per investigator as of October 24, 2014 was accepted, as information, on the Consent Agenda.

5. Legal Nurse Consultant Report

A written report on the number of open cases assigned to each legal nurse consultant as of October 24, 2014 was accepted, as information, on the Consent Agenda.

6. Probation Monitoring Report

A written report on the number of nurses monitored on probation as of October 23, 2014, the number of outstanding probation violations and the number of past due fines was accepted, as information, on the Consent Agenda.

7. Public Records Request

A written report on the number of public records request completed between October 1, 2013 and September 30, 2014 was accepted, as information, on the Consent Agenda.

8. FY 2014 Advanced Practice Nurses Discipline

Ms. Boden reported that the Board requested to see an executive summary of disciplinary actions against advanced practice nurses (APNs) once a year. Last year, the Board advised they would like to see percentages and a comparison between CRNAs and CRNPs. Board meetings held in November, January, March, May, July, and September of each fiscal year include disciplinary cases and the Executive Officer's acceptance of the voluntary surrender for revocation of Alabama nursing licenses. Identification of disciplinary actions taken against APNs during fiscal year 2014 occurred through a review of Board agendas.

Ms. Boden reviewed the disciplinary actions taken against advanced practice nurses.

Ms. Boden provided copies of the executive summary for the Board's information and review.

The Board would like to continue to see this report at the annual meeting.

9. Supervision by Monitored Nurses

Ms. Henley reported that at the October 2014 Board meeting, the Board approved several revisions to the language used in the discipline shells. A discussion occurred regarding the shell stipulation that prohibits nurses on probation from working as a supervising nurse. The proposed revision to that stipulation included a list of tasks that a nurse on probation could not perform. Some Board members believed that nurses on probation should not be permitted to make patient assignments, whether to licensed staff or unlicensed staff. Other Board members expressed concern that listing certain prohibited duties might imply that other unlisted duties were permissible. The Board was unable to reach a consensus regarding revisions to the language. The Board requested more information.

The possible resolutions regarding the supervision stipulation are as follows: (1) leave the stipulation language as it is now: "Respondent shall not be employed as a supervising nurse"; (2) amend the previously proposed language to make it clear that the list of prohibited duties is not exhaustive, and leave the gray areas for resolution by the Board staff upon review of the job description and in consultation with the employer; (3) add to the language in 2 above a prohibition on making assignments, and clarify whether the prohibitions apply only to assignments made to licensed staff or whether the prohibitions also apply to assignments made to unlicensed staff; and (4) come up with completely new language to describe restrictions on supervision while on probation.

The Board reviewed and discussed the information provided.

On November 13, Dr. Autrey moved that the Board approve option 3 with language from option 2: "Respondent shall not be employed as a supervising nurse. Supervising nurse duties include, but are not limited to, making employment decisions related to licensed staff, evaluating the performance of licensed staff, scheduling licensed staff and making patient assignments to licensed staff. Respondent may be required to provide a job description at the request of the Board". Dr. Wright seconded. Motion carried without objection.

E. Operations/Personnel Report

A written report of the Board's operations and personnel as of October 31, 2014, along with a call allocation summary and a telecommunications report from October 1, 2013 to September 30, 2014, was accepted, as information, on the Consent Agenda.

F. Licensing Division

A written report on the number of licenses issued from October 1, 2013, through September 30, 2014 was accepted, as information, on the Consent Agenda.

VII. STRATEGIC PLANNING

A. 2014-2018 Strategic Plan

The ABN 2014-2018 Strategic Plan was deleted from the Agenda.

VIII. ADVANCED PRACTICE

A. Roster of Collaborative Practice Applicants

Ms. Cotton reported that the roster includes fifty-seven applications for collaborative practice that meet the criteria for fast track approval without Joint Committee review. The Alabama Board of Medical Examiners will meet on Wednesday, November 19, 2014 to consider the fast track applications for approval.

Applications for remote site practice, additional duties and/or special formulary will be presented to the Joint Committee at the meeting scheduled for December 9, 2014.

Ms. Cotton provided copies of the roster for the Board's information and review.

On November 13, Dr. Wright moved that the Board approve the applicants for collaborative practice as listed in the roster. Ms. Price seconded. Motion carried without objection.

IX. PRACTICE AND CONTINUING EDUCATION

A. Practice

1. Report

A written report on the standardized procedures was accepted, as information, on the Consent Agenda.

2. Standard Procedure Request: Huntsville Surgery Center

Ms. Jeter reported that Huntsville Surgery Center submitted a request for RNs in the Pre-Op unit to assist the anesthesiologist in performing nerve blockade for pain management prior to surgery. The estimated number of patients to receive the procedure is 150 per month.

Anesthesia is currently performing the nerve block independently with ultrasound guidance. The anesthesiologist needs assistance in maintaining placement and anchoring of the needle while at the same time administering the medication. To utilize personnel cost effectively they want to utilize the RN to assist in administering the medication once the needle is in place. Specific nerve blocks to be performed are: (1) Interscalene nerve blocks; (2) Popliteal nerve blocks; and (3) Femoral nerve blocks.

Ms. Jeter provided copies of the application, policy and procedures, organized program of study and competency checklist for the Board's information and review.

The Board reviewed and discussed the information provided.

On November 13, Ms. Stewart moved that the Board deny Huntsville Surgery Center's standardized procedure request. Ms. Hill seconded. Motion carried without objection.

3. Standardized Procedure Request: Continuum Rx Request for Medical Oversight Exemption

Ms. Jeter reported that Continuum Rx is a home infusion pharmacy that intends to perform limited nursing care related to IV therapy to patients who have independently contracted with home health or hospice nursing care agencies.

The standardized procedure(s) requested by healthcare facilities should have approval from the chief nursing officer, chief medical

officer, and executive officer per ABN Administrative Code 610-X-6-.12. Continuum Rx infusion company is requesting exemption from the rule to have a medical director for medical oversight. Continuum Rx states they operate under the Alabama Board of Pharmacy regulations with direct supervision from a registered nurse and a charge pharmacist. The nursing procedures will be provided under the care of the patient's ordering physician. Historically, in-home infusion therapy companies licensed in Alabama have medical directors.

The Standardized Procedures requested to perform without medical oversight are: (1) Activase Administration; (2) Hickman Catheter: Access and Care; (3) Parenteral Pain Management; (4) PICC Line: Access and Care; (5) PICC Line Removal; (6) Topical Anesthetic Administration; (7) TPN Administration; and (8) Venous Ports: Access and Care.

Ms. Jeter provided copies of the application, policy and procedures, education content outline and power point slides, and competency exam and checklist for the Board's information and review.

The Board reviewed and discussed the information provided.

On November 13, Dr. Wright moved that the Board deny the standardized procedure request from Continuum RX to be exempt from medical director oversight, based on the rules. Ms. Price seconded. Motion carried without objection.

B. Continuing Education

1. Report

A written report on continuing education providers and a CE plan update was accepted, as information, on the Consent Agenda.

X. EDUCATION

A. Report

A written report on nursing education was accepted, as information, on the Consent Agenda.

B. FY 2014 Provisionally Approved RN Programs' NCLEX® Results

1. Breckinridge Schools of Nursing ADN Programs

Dr. Russell reported that three provisional programs: Breckinridge School of Nursing and Health Sciences-Bessemer, Breckinridge School of Nursing and Health Sciences-Madison, and Breckinridge School of Nursing and Health Sciences-Mobile had first time writers to test in FY 2014. According to Rule 610-X-3-.07(2) (5), following receipt of the first fiscal year report of performance of graduates on the national licensure examination, the Board shall conduct a survey to determine if all standards for approval of a nursing education program have been met. The Board may: (a) grant full approval if standards of a nursing education program are met; or (b) continue provisional approval and provide to the governing institution and nursing program administrator a written notice of deficiencies that establishes a reasonable time, based upon the number and severity of deficiencies, to correct deficiencies.

The FY 2014 passage rate for Breckinridge School of Nursing and Health Sciences-Bessemer was 50%. The FY 2014 passage rate for Breckinridge School of Nursing and Health Sciences-Madison was 66.7%. The FY 2014 passage rate for Breckinridge School of Nursing and Health Sciences-Mobile was 33.3%.

All three of the programs failed to achieve the 80% outcome standard. Breckinridge School of Nursing- Bessemer (ITT Tech –Bessemer) received a notice of deficiency in FY 2013.

Additionally, Breckinridge School of Nursing and Health Sciences-Madison failed to notify the Board that Dr. Beckwith, nursing chair, resigned. The education consultant contacted Mr. Cato, campus president, and told him that he needed to provide the Board with the date that Dr. Beckwith resigned and the person serving as interim program chair. Mr. Cato informed the Board that Dr. Beckwith resigned as chair September 12, 2014 and Dr. Shirna Gullo accepted appointment as interim chair September 15, 2014. However, Dr. Gullo informed the Board that she has not been appointed as interim program chair.

Dr. Russell provided copies of an analysis of the fourth quarter and FY 2014 NCLEX-Results for the Board's information and review.

The Board reviewed and discussed the information provided.

On November 13, Ms. Price moved that the Board issue a Notice of Deficiency and continue Provisional Approval to Breckinridge School of Nursing and Health Sciences-Bessemer, Breckinridge School of Nursing and Health Sciences-Madison, and Breckinridge School of Nursing and Health Sciences-Mobile for failure to comply with the ABN Administrative Code, Chapter 610-X-3-.07(2)(5), with an expected correction date of September 30, 2015. Mr. Howard seconded. Motion carried without objection.

On November 13, Ms. Bailey moved that the Board issue a Notice of Deficiency to Breckinridge School of Nursing and Health Sciences-Madison for failure to comply with the ABN Administrative Code, Chapter 610-X-3-.02(6), with expected immediate compliance. Mr. Howard seconded. Motion carried without objection.

2. Judson College ADN Program

Dr. Russell reported that Judson College has Continued Provisional Approval with a Notice of Deficiency. Judson College was granted Provisional Approval in November, 2011. Provisional Approval continues until the first class graduates and takes the NCLEX-RN®. The current regulations require that 80% of the graduates of an approved nursing education program pass the first time the national exam is taken. Following the FY 2013 NCLEX-RN® results, Judson College had a 60% first-time writer pass rate on the NCLEX-RN®. As a result of failure to achieve the outcome standard, a site visit was conducted on November 18, 2013. In June 2014, the education nurse consultant spoke with Dr. Hayes, program director at Judson College, regarding the consideration of voluntarily closing. At the time of the conversation, Judson had nine students who had written the exam, one passed. Dr. Hayes and Dr. Elliot met with the consultant on June 11, 2014 to discuss the students' performance on the NCLEX® exam at which time they did not want to voluntarily close.

Judson College FY 2014 passage rate is 33.3%. The education nurse consultant contacted Dr. Hayes on October 22, 2014 to determine whether they were interested in voluntarily closing. Dr. Hayes requested to present to the Board.

Dr. Russell provided copies of an analysis of fourth quarter and FY 2014 NCLEX Results for the Board's information and review.

The Board reviewed and discussed the information provided.

On November 13, Mr. Howard moved that the Board provide a Notice of Hearing to Judson College for continued failure to meet the NCLEX® passing standard according to the ABN Administrative Code, Chapter 610-X-3-.07(2)(5)(B) and 610-X-3-.06(4). Dr. Wright seconded. Motion carried without objection.

3. Virginia College – Birmingham ADN Program

Dr. Russell reported that Virginia College-Birmingham has Continued Provisional Approval with Continued Notice of Deficiency. The program is voluntarily closing and should complete its teach-out program as approved by the ABN in March 2016. Virginia College-Birmingham passage rate for FY 2014 is 56.67.

Dr. Russell provided copies of an analysis of fourth quarter and FY 2014 NCLEX Results for the Board's information and review.

The Board reviewed and discussed the information provided.

On November 13, Dr. Wright moved that the Board issue a Notice of Deficiency and Continued Provisional Approval to Virginia College-Birmingham ADN Program for failure to meet NCLEX-RN® 80% outcome standard for first-time writers until the conclusion of the teach-out plan in March 2016. Ms. Stewart seconded. Motion carried without objection.

C. Analysis of FY 2013 and FY 2014 NCLEX-RN® Results

1. Meets Standards in Two out of Three Years

Dr. Russell reported that the ABN is authorized to conduct surveys and evaluations of nursing education programs as often as necessary to determine compliance with all standards set forth in the ABN Administrative Code, Chapter 610-X-3. The Board determined that each nursing education program shall be reviewed annually for compliance with the standards based upon the fiscal year annual report document, the Outcome Standards, and on-site deficiency visits.

Auburn University, Auburn University at Montgomery, Spring Hill College, and South University each received a Notice of Deficiency for FY 2013 for failure to submit their annual report by the specified date. Herzing University and South University failed to submit a complete FY 2013 annual report by the specified date. Each program has submitted the required document by the date specified on the notice of deficiency.

There were forty-one approved programs and five provisionally approved programs that had first time NCLEX® writers in FY 2014. Four of the approved programs cannot mathematically achieve the outcome standard in 2015.

There are ten programs whose average scores two out of the three years is less than 80%. These programs could potentially meet the 80% outcome standard in FY 2015.

There are twenty seven programs that have at least an 80% average pass rate two out of three years for the outcome standard.

Dr. Russell provided copies of an analysis of fourth quarter and FY 2014 NCLEX Results for the Board's information and review.

On November 13, Dr. Wright moved that the Board provide a Notice of Correction to Auburn University, Auburn University at Montgomery, Herzing University RN Program, Springhill College, and South University for submitting a completed annual report within the time specified. Mr. Howard seconded. Motion carried without objection.

2. Mathematically Impossible to Meet Standards Regardless of FY 2015 Results

Dr. Russell reported that there were forty-one approved programs and five provisionally approved programs that had first time NCLEX® writers in FY 2014. Four of the approved programs cannot mathematically achieve the outcome standard in 2015.

Alabama Southern Community College has a FY 2013 pass rate of 71.4% and a FY 2014 pass rate of 61.54%. They need a FY 2015 pass score of 107.08% to meet the 80% outcome standard.

South University has a FY 2013 pass rate of 50% and a FY 2014 pass rate of 35.71%. They need a FY 2015 pass score of 154.29% to meet the 80% outcome standard.

The University of Mobile-ADN program has a FY 2013 pass rate of 60% and a FY 2014 pass rate of 76.45%. They need a FY 2015 pass score of 103.53% to meet the 80% outcome standard. The University of Mobile-ADN program is voluntarily closing. All students should complete the curriculum by the end of summer 2015.

Virginia College-Mobile has a FY 2013 pass rate of 42.9% and a FY

2014 pass rate of 42.11%. They need a FY 2015 pass score of 154.99% to meet the 80% outcome standard.

Dr. Russell provided copies of an analysis of fourth quarter and FY 2014 NCLEX Results for the Board's information and review.

On November 13, Dr. Wright moved that the Board approve notification to the following programs that cannot mathematically meet the outcome standard by end of FY 2015 based on their current NCLEX-RN® results: Alabama Southern Community College; South University; University of Mobile ADN Program; and Virginia College-Mobile. Dr. Parker seconded. Motion carried without objection.

Ms. Stewart was not present from 11:40 to 11:44 and was not present for the vote.

D. Analysis of FY 2013 and FY 2014 NCLEX-PN® Results

1. Meets Standards in Two out of Three Years

Dr. Russell reported that there were twenty-three approved programs that had first time NCLEX®-PN writers in FY 2014. Two of the approved programs cannot mathematically achieve the outcome standard in 2015.

There is one program whose average scores two out of the three years is less than 80%. This program could potentially meet the 80% outcome standard in FY 2015.

There are twenty programs that have at least an 80% average pass rate two out of three years for the outcome standard.

Herzing University PN program failed to submit a complete annual report by the specified date. Herzing University PN program has submitted the required document by the specified date.

Dr. Russell provided copies of an analysis of fourth quarter and FY 2014 NCLEX Results for the Board's information and review.

On November 13, Dr. Parker moved that the Board provide a Notice of Correction to Herzing University PN Program for submitting a completed annual report within the time specified. Ms. Hill seconded. Motion carried without objection.

2. Mathematically Impossible to Meet Standards Regardless of FY 2015 Results

Dr. Russell reported that there were twenty-three approved programs that had first time NCLEX®-PN writers in FY 2014. Two of the approved programs cannot mathematically achieve the outcome standard in 2015.

Fortis Institute has a FY 2013 pass rate of 68.9% and a FY 2014 pass rate of 70.83%. They need a FY 2015 pass score of 100.27% to meet the 80% outcome standard. Fortis Institute is voluntarily closing its PN program. All students should complete the curriculum by December 2014.

Jefferson State Community College has a FY 2013 pass rate of 82.4% and a FY 2014 pass rate of 0%. They need a FY 2015 pass score of 157.6% to meet the 80% outcome standard. Jefferson State Community College PN program voluntarily closed August 2012.

Dr. Russell provided copies of an analysis of fourth quarter and FY 2014 NCLEX Results for the Board's information and review.

The Board reviewed and discussed the information provided.

XI. ELECTION OF OFFICERS

A. President

Ms. Benson reported that the Board is required, by regulation, to elect officers at the annual meeting each year. The November meeting is the annual meeting of the Board. Under the Alabama Open Meetings Act, the nominations and voting are required to be in an open meeting. The minutes also must reflect the vote so Board members will be asked to raise their hands when voting for a candidate.

Ms. Benson provided copies of the rules that detail the functions of the officers for the Board's information and review.

On November 13, Ms. Stewart moved to nominate Dr. Parker as President. Ms. Price seconded. Motion carried with all in favor (Ms. Price, Dr. Autrey, Ms. King, Ms. Stewart, Ms. Hill, Mr. Howard, Ms. Bailey, Dr. Parker, Dr. Wright, and Ms. Ellerbe).

B. Vice-President

Ms. Benson reported that the Board is required, by regulation, to elect officers at the annual meeting each year. The November meeting is the annual meeting of the Board. Under the Alabama Open Meetings Act, the nominations and voting are required to be in an open meeting. The minutes also must reflect the vote so Board members will be asked to raise their hands when voting for a candidate.

On November 13, Ms. Price moved to nominate Dr. Wright as Vice-President. Ms. Hill seconded. Motion carried with all in favor (Ms. Price, Dr. Autrey, Ms. King, Ms. Hill, Mr. Howard, Dr. Parker, Dr. Wright, Ms. Bailey, and Ms. Ellerbe).

B. Secretary

Ms. Benson reported that the Board is required, by regulation, to elect officers at the annual meeting each year. The November meeting is the annual meeting of the Board. Under the Alabama Open Meetings Act, the nominations and voting are required to be in an open meeting. The minutes also must reflect the vote so Board members will be asked to raise their hands when voting for a candidate.

On November 13, Dr. Autrey moved to nominate Ms. Hill as Secretary. Ms. Stewart seconded. Motion carried with all in favor (Ms. Price, Dr. Autrey, Ms. King, Ms. Stewart, Ms. Hill, Mr. Howard, Dr. Wright, Dr. Parker, Ms. Bailey, and Ms. Ellerbe).

XII. DISCIPLINARY CASES

On November 14, Dr. Parker moved that the Board enter into Executive Session to discuss the general reputation and character, professional competence, and physical or mental conditions of specific applicants and licensees. Ms. Ellerbe seconded. Motion carried with all in favor (Dr. Parker, Ms. Ellerbe, Ms. Price, Mr. Howard, Dr. Wright, Ms. Bailey, Ms. Bullard, Ms. Hill, Ms. King and Ms. Stewart).

Dr. Dearman reported that the Board would reconvene in open session at approximately 9:00 a.m.

The Board reconvened in open session at 8:44 a.m. and voted on the Consent Orders.

A. Consent Orders

1. Johnson, Heidi Abigail – RN, 1-104429

Ms. Johnson signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on understanding substance use disorder in nursing, and pay a fine in the amount of \$300.00.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.

2. Bowen, John Michael – RN, 1-058181; CRNP; LPN, 2-029128 (Lapsed)

Mr. Bowen signed a Consent Order that would terminate his VDAP Agreement and place his license on probation. Said probation is stayed, and Mr. Bowen's license will be placed on Board-Lapsed status due to medical condition.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried without objection.

3. Zaiden, April Boles – RN, 1-095642; LPN, 2-045969 (Lapsed)

Ms. Zaiden signed a Consent Order that would place her license on probation. Said probation is stayed, and Ms. Zaiden's license will be placed on Board-Lapsed status due to medical condition.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. Bullard seconded. Motion carried with no objections.

4. Rodgers, Cheri Annette – RN, 1-087903

Ms. Rodgers signed a Consent Order that would suspend her RN license until such time as she provides documentation of: (a) completion of a comprehensive psychiatric/mental health evaluation from a Board-acceptable provider; (b) compliance with all treatment recommendations; (c) successful completion of a Board-approved educational course on professional boundaries; (d) accrual of requisite continuing education contact hours; and (e) payment of

appropriate fees. Upon reinstatement, Ms. Rodgers' license will be placed on probation for a period of twelve months, with mental health stipulations, and she will be required to pay a fine in the amount of \$600.00.

On November 14, Ms. Bailey moved that the Board accept the Consent Order. Ms. King seconded. Motion carried without objection.

5. Adams, Amanda Lynn – RN, 1-075359

Ms. Adams signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete Board-approved educational courses on substance use disorders, ethics of nursing, and professional accountability, and pay a fine in the amount of \$1,000.00.

On November 14, Ms. Ellerbe moved that the Board accept the Consent Order. Ms. Stewart seconded. Motion carried without objection.

6. Hawkins, Amber Nicole – RN, 1-121351

Ms. Hawkins signed a Consent Order that would terminate her July 18, 2014 Order upon the Board's acceptance of this instant Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive evaluation for chemical dependency from a Board-approved program; (b) entry into and successful completion of the initial phase of an approved treatment provider (if treatment is recommended); (c) entry into and full participation in an aftercare program (if treatment is recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; (g) payment of appropriate fees; and (h) successful completion of Board-approved educational courses on understanding substance use disorder in nursing, medication administration, and professional accountability. Should Ms. Hawkins be deemed in need of treatment, her license will be reinstated on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. If not deemed in need of treatment, Ms. Hawkins' license will be reinstated on probation for a period of twelve months, with illegal/illicit drug-use stipulations, and she will be required to pay a fine in the amount of \$300.00. In no event will this period of suspension extend beyond

twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

7. Carr, Lisa Marie – RN, 1-131055

Ms. Carr signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive evaluation for chemical dependency from a Board-approved program; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) entry into and full participation in an aftercare program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Upon reinstatement, Ms. Carr's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On November 14, Ms. Stewart moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

8. Crittenden, Alice Isherwood – RN, 1-090684

Ms. Crittenden signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive evaluation for chemical dependency from a Board-approved program; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) entry into and full participation in an aftercare program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Upon reinstatement, Ms. Crittenden's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On November 14, Ms. Stewart moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

9. Fowler, Kimberly Sides – RN, 1-122096; LPN, 2-057987 (Lapsed)

Ms. Fowler signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive evaluation for chemical dependency from a Board-approved program; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) entry into and full participation in an aftercare program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Upon reinstatement, Ms. Fowler's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked. Should Ms. Fowler attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On November 14, Ms. Stewart moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

10. Fuller, William Shane – RN, 1-124809

Mr. Fuller signed a Consent Order that would suspend his RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive evaluation for chemical dependency from a Board-approved program; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) entry into and full participation in an aftercare program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Upon reinstatement, Mr. Fuller's license will be placed on probation for a period of sixty months, with chemical dependency stipulations, and he will be required to pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, his license status will be considered as and listed as revoked.

On November 14, Ms. Stewart moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

11. George, Jennifer Leanne – RN, 1-095660

Ms. George signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive evaluation for chemical dependency from a Board-approved program; (b) entry into and successful completion of the initial phase of an approved treatment provider (if treatment is recommended); (c) entry into and full participation in an aftercare program (if treatment is recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Should Ms. George be deemed in need of treatment, her license will be reinstated on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. If not deemed in need of treatment, Ms. George's license will be reinstated on probation for a period of twelve months, with illegal/illicit drug-use stipulations, she will be required to successfully complete a Board-approved educational course on chemical dependency, and pay a fine in the amount of \$300.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On November 14, Ms. Stewart moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

12. Heathcock, Julia Leigh – RN, 1-137000

Ms. Heathcock signed a Consent Order that would suspend her RN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive evaluation for chemical dependency from a Board-approved program; (b) entry into and successful completion of the initial phase of an approved treatment provider; (c) entry into and full participation in an aftercare program; (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings; (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Upon reinstatement, Ms. Heathcock's license will be placed on

probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On November 14, Ms. Stewart moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

13. Jerkins, Camellia Kilpatrick – RN, 1-114809

Ms. Jerkins signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on substance use disorder, and pay a fine in the amount of \$1,000.00.

On November 14, Ms. Stewart moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

14. Kim, Hye Sung – RN, 1-139589

Mr. Sharbel signed a Consent Order that would suspend his RN license on probation until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive evaluation for chemical dependency from a Board-approved program; (b) entry into and successful completion of the initial phase of an approved treatment provider (if treatment is recommended); (c) entry into and full participation in an aftercare program (if treatment is recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Should Ms. Kim be deemed in need of treatment, her license will be reinstated on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. If not deemed in need of treatment, Ms. Kim's license will be reinstated on probation for a period of twelve months, with illegal/illicit drug-use stipulations, she will be required to successfully complete a Board-approved educational course on substance use disorder, and pay a fine in the amount of \$300.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On November 14, Ms. Stewart moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

15. Migliori, Jessica Ann – RN, 1-133237

Ms. Migliori signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on understanding substance use disorder in nursing, and pay a fine in the amount of \$300.00.

On November 14, Ms. Stewart moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

16. Reid, Brittany Michelle – LPN, 2-064811

Ms. Reid signed a Consent Order that would suspend her LPN license until such time as the Board is in receipt of satisfactory documentation of: (a) completion of a comprehensive evaluation for chemical dependency from a Board-approved program; (b) entry into and successful completion of the initial phase of an approved treatment provider (if treatment is recommended); (c) entry into and full participation in an aftercare program (if treatment is recommended); (d) negative random monthly urine drug screens; (e) active participation in Twelve Step Meetings (if recommended); (f) accrual of requisite continuing education contact hours; and (g) payment of appropriate fees. Should Ms. Reid be deemed in need of treatment, her license will be reinstated on probation for a period of sixty months, with chemical dependency stipulations, and she will be required to pay a fine in the amount of \$1,000.00. If not deemed in need of treatment, Ms. Reid's license will be reinstated on probation for a period of twenty-four months, with illegal/illicit drug-use stipulations, she will be required to successfully complete a Board-approved educational course on substance use disorder, and pay a fine in the amount of \$600.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On November 14, Ms. Stewart moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

17. Chestang, Mary Lee – RN, 1-062625 (Lapsed); LPN, 2-026339 (Lapsed)

Ms. Chestang signed a Consent Order that would approve her reinstatement of a lapsed license application and place her license on probation until such time as she provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of Board-approved educational courses on medication errors and professional accountability; and (c) the employer notification has been received by the Board. Should Ms. Chestang attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. King seconded. Motion carried without objection.

18. Fitts, Cheryl Lynn – LPN, 2-050865

Ms. Fitts signed a Consent Order that would place her LPN license on probation for a period of twelve months, with practice-related stipulations, require her to successfully complete Board-approved educational courses on medication safety, documentation, and ethics of nursing practice, and pay a fine in the amount of \$500.00.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. King seconded. Motion carried without objection.

19. Jackson, Cynthia – LPN, 2-038054

Ms. Jackson signed a Consent Order that would suspend her LPN license until such time as she provides evidence of successful completion of Board-approved educational courses on documentation, ethics of nursing practice, and medication safety, and payment of a fine in the amount of \$600.00. Upon reinstatement, Ms. Jackson's license will be placed on probation for a period of twelve months, with practice-related stipulations.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. King seconded. Motion carried without objection.

20. Morgan, Cassandra Abel – LPN, 2-065197

Ms. Morgan signed a Consent Order that would place her LPN

license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on substance use disorder, and pay a fine in the amount of \$300.00.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. King seconded. Motion carried without objection.

21. Pickens, Cecily Nicole – LPN, 2-063483

Ms. Pickens signed a Consent Order that would place her LPN license on probation until such time as she provides evidence of payment of a fine in the amount of \$300.00 and successful completion of Board-approved educational courses on ethics of nursing practice and documentation.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. King seconded. Motion carried without objection.

22. Suttle, Sandra Lee – LPN, 2-052925

Ms. Suttle signed a Consent Order that would place her LPN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete Board-approved educational courses on substance use disorder and documentation, and pay a fine in the amount of \$300.00.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. King seconded. Motion carried without objection.

23. Thomas, Susan Renae – LPN, 2-027682

Ms. Thomas signed a Consent Order that would place her LPN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on substance use disorder, and pay a fine in the amount of \$300.00.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. King seconded. Motion carried without objection.

24. Watson, Andrea Brook – RN, 1-072994; LPN, 2-036447 (Lapsed)

Ms. Watson signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete Board-approved educational courses on substance use disorder and documentation, and pay a fine in the amount of \$300.00. Should Ms. Watson attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. King seconded. Motion carried without objection.

25. Etheridge, Tracey Michele – RN, 1-072647

Ms. Etheridge signed a Consent Order that would suspend her RN license until such time as she provides evidence of successful completion of Board-approved educational courses on professional accountability and ethics in nursing, and pays a fine in the amount of \$1,000.00. In no event will this period of suspension extend beyond twelve months of the effective date of this Order, and, if such should occur, her license status will be considered as and listed as revoked.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

26. Oaks, Gregory Lynn – RN, 1-089263; LPN, 2-042716 (Lapsed)

Mr. Oaks signed a Consent Order that would place his RN license on probation until such time as he provides evidence of: (a) payment of a fine in the amount of \$300.00; (b) successful completion of a Board-approved educational course on professional accountability; and (c) the employer notification has been received by the Board. Should Mr. Oaks attempt to renew his LPN license, it too, would be subject to the same terms and conditions.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

27. Stewart, Jennifer Kristen – RN, 1-133523; LPN, 2-052199 (Lapsed)

Ms. Guillory signed a Consent Order that would place her RN license on probation for a period of twelve months, with illegal/illicit drug-use

stipulations, require her to successfully complete a Board-approved educational course on understanding substance abuse in nursing, and pay a fine in the amount of \$300.00. Should Ms. Stewart attempt to renew her LPN license, it too, would be subject to the same terms and conditions.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

28. Falls, Larry Duane – LPN Exam Applicant

Mr. Falls signed a Consent Order that would allow him to take the NCLEX-PN®, and if successful, issue him a public reprimand.

On November 14, Ms. Stewart moved that the Board accept the Consent Order. Ms. King seconded. Motion carried without objection.

29. Cascone, Cora Ellyn – RN, 1-043342 (Lapsed)

Ms. Cascone signed a Consent Order that would approve her reinstatement of a lapsed license application, issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

On November 14, Dr. Parker moved that the Board accept the Consent Order. Ms. King seconded. Motion carried without objection.

30. Davis, Nancy L. – LPN Endorsement Applicant

Ms. Davis signed a Consent Order that would approve her LPN endorsement application, issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

On November 14, Dr. Parker moved that the Board accept the Consent Order. Ms. King seconded. Motion carried without objection.

31. Lafevor-Moon, Lauren Faith – RN, 1-118774 (Lapsed)

Ms. Lafevor-Moon signed a Consent Order that would approve her reinstatement of a lapsed license application, issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

On November 14, Dr. Parker moved that the Board accept the

Consent Order. Ms. King seconded. Motion carried without objection.

32. Colin, Janice Denise – LPN Endorsement Applicant

Ms. Colin signed a Consent Order that would approve her LPN endorsement application, issue her a public reprimand and require her to pay a fine in the amount of \$600.00.

On November 14, Ms. Bailey moved that the Board accept the Consent Order. Dr. Parker seconded. Motion carried without objection.

33. Packer, Patrice – LPN, 2-058119

Ms. Packer signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$600.00.

On November 14, Ms. Bailey moved that the Board accept the Consent Order. Dr. Parker seconded. Motion carried without objection.

34. Hollis, Karan Kay – RN, 1-057017; LPN, 2-023134 (Lapsed)

Ms. Hollis signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

35. Junior, Vicky Leeann – RN, 1-109916

Ms. Junior signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$500.00.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

36. Murry, Lisa McLeod – LPN, 2-040177

Ms. Murry signed a Consent Order that would issue her a public reprimand and require her to pay a fine in the amount of \$300.00.

On November 14, Mr. Howard moved that the Board accept the

Consent Order. Ms. Ellerbe seconded. Motion carried without objection.

B. Reinstatement: Consent Orders

1. Richardson, Shirley Ann – RN, 1-071613

Ms. Richardson signed a Consent Order that would reinstate her RN license on probation for a period of twelve months, with illegal/illicit drug-use stipulations, require her to successfully complete a Board-approved educational course on understanding substance use disorder in nursing, and pay a fine in the amount of \$750.00.

On November 14, Mr. Howard moved that the Board accept the Consent Order. Ms. Hill seconded. Motion carried without objection.

C. Formal Hearings

On November 14, Ms. Bullard moved that the Board enter into Executive Session in its capacity as a quasi-judicial body to deliberate and discuss evidence and testimony presented during contested case hearings and vote on the outcomes. Dr. Wright seconded. Motion carried with all in favor (Dr. Parker, Ms. Bullard, Dr. Wright, Ms. Price, Ms. King, Ms. Stewart; Mr. Howard, Ms. Hill, Ms. Bailey and Ms. Ellerbe).

Dr. Dearman reported that the Board would reconvene in open session at approximately 9:30 a.m.

The Board reconvened in open session at 8:53 a.m.

1. Allen, Lisia – LPN, 2-058986

On November 14, Dr. Parker moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Allen's LPN license. Bailey seconded. Motion carried without objection.

2. Hasty, Tammy Alisa – LPN, 2-045134

On November 14, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Hasty's LPN license. Ms. Hill seconded. Motion carried without objection.

3. Higgins, Gary B. – RN, 1-117520

On November 14, Ms. Bailey moved that the Board accept the Findings of Fact, Conclusions of Law and the Recommendation of the Hearing Officer, and revoke Mr. Higgin's RN license. Mr. Howard seconded. Motion carried without objection.

4. Johnson, Kendra Elizabeth – LPN, 2-054921 (Lapsed)

On November 14, Ms. Stewart moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Johnson's LPN license. Ms. King seconded. Motion carried without objection.

5. LeBeaux, Eddye Jean Bonner – LPN, 2-021654 (Lapsed/Probation)

On November 14, Ms. Bullard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. LeBeaux's LPN license. Ms. Hill seconded. Motion carried without objection.

6. Pennock, Angela Denise – RN, 1-132496; LPN, 2-059626 (Lapsed)

On November 14, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Pennock's license. Ms. Hill seconded. Motion carried without objection.

7. Pitts, Wendy Eugenia – RN, 1-050117

On November 14, Dr. Parker moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer and revoke Ms. Pitts' RN license. Ms. King seconded. Motion carried without objection.

8. Randolph, Roderick Oneal – RN Exam Applicant

On November 14, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and deny Mr. Randolph's RN exam application. Dr. Parker seconded. Motion carried without objection.

9. Sterghos, Deirdre Winona – RN, 1-099163; LPN, 2-028185 (Lapsed)

On November 14, Mr. Howard moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Sterghos' license. Ms. Bailey seconded. Motion carried without objection.

10. Thomas, Joy – RN, 1-060510 (Active/Probation); LPN, 2-027112 (Lapsed)

On November 14, Ms. Bailey moved that the Board accept the Findings of Fact, Conclusions of Law, and the Recommendation of the Hearing Officer, and revoke Ms. Thomas' license. Ms. Ellerbe seconded. Motion carried without objection.

C. Reinstatements – Formal Hearings

There were no reinstatement formal hearings.

XIII. POLICY

A. Final Certification, ABN Administrative Code, Rule 610-X-4-.14, Fees

Ms. Benson reported that each September the Board is required by regulations to keep the same fee schedule or submit changes. The Board approved repealing the current rule and enacting a new fee schedule at the September Board meeting. The changes are basically formatting and a detail of the group online license verification system fees. The proposed rules were filed with the Alabama Legislative Reference Service and published in the September 30, 2014 *Alabama Administrative Monthly*. The deadline for comments was November 4, 2014. No comments were received. Final certification of the rule is required and once published in the *Alabama Administrative Monthly*, the rule will become effective 35 days after filing.

Ms. Benson provided copies of the proposed rule for the Board's information and review.

On November 14, Ms. Bailey moved that the Board approve, as final certification, repeal of ABN Administrative Code, Rule 610-X-4-.14, Fees, and approve, as final certification, new ABN Administrative Code, Rule 610-X-4-.14, Fees. Ms. Ellerbe seconded. Motion carried without objection.

B. Final Certification, ABN Administrative Code, Rule 610-X-7-.10, Delegation of Administration of Glucagon and Insulin in the School Setting

Ms. Benson reported that additional comments were received and provided copies to the Board. Ms. Benson asked the Board to review the comments and provide direction to the staff.

The Board reviewed and discussed the comments provided.

On November 13, Ms. Price moved that the Board defer action on ABN Administrative Code, Rule 610-X-7-.10, Delegation of Administration of Glucagon and Insulin in the School Setting, to allow time to review all comments received. Ms. Bailey seconded. Motion carried without objection.

XIV. QUALITY ASSURANCE

A. QA Report

A written quality assurance report was provided for the Board's information and review.

XV. BOARD TRAVEL

A. NCSBN Institute for Regulatory Excellence (IRE) Conference, Charleston, SC – January 14-15, 2015

No one requested to attend.

B. 2015 FARB Forum, Tucson, AZ – January 22-25, 2015

Ms. Bullard, Ms. King, Ms. Bailey, Dr. Parker and Ms. Price were approved to attend.

XVI. REPORT OF MEETINGS ATTENDED

A. 2014 International Nurse Regulator Collaborative Symposium, October 28-30, 2014

Mr. Howard reported on his attendance at the 2014 International Nurse Regulator Collaborative Symposium.

XVII. OTHER

- Dr. Dearman welcomed the guests.
- Dr. Dearman reported that at the direction of the Board, she drafted a letter to the Governor requesting a 5% merit increase for the Executive Officer.
- Dr. Dearman reported that she and Ms. Benson were interviewed by Channel 13 News in Birmingham regarding the disciplinary process.
- Ms. Price requested that the Board discuss having a one day meeting on the months that there is not much discipline.
- Dr. Parker suggested adding Board Development to the agenda on months when there is not much discipline.
- Dr. Dearman requested that Ms. Henley provide education on nursing education program hearings.
- The Board discussed assigning time limits for nursing education program hearings.

XVIII. NEXT MEETING DATE: December 11, 2014, 9:30 A.M., Suite 350, RSA Plaza

XIX. BOARD MEETING DEBRIEFING

- The Board discussed providing breakfast for the staff at the December Board meeting.
- **On November 13, Ms. Price moved that the Board change the start time for the December Board meeting to 9:30 a.m. Dr. Wright seconded. Motion carried without objection.**
- Ms. Benson reported that she had a conversation with the Alabama State Nurses Association (ASNA) Executive Director who relayed that ASNA had been requested to support changes to the Nurse Practice Act which would allow for additional advanced practice positions on the Board.

XX. ADJOURNMENT

The meeting adjourned at 9:13 a.m. on November 14, 2014.

Catherine Dearman, President

E. Laura Wright, Secretary

Submitted by: _____
Leslie Vinson, Recorder
11/13-14/2014